

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,

Criminal No. 04-268 (1)-(5) (RHK/RLE)

Plaintiff,

ORDER

vs.

Lamont Vernon Peterson (1),
Owen Kent Peterson (2),
Alan Victor Peterson (3),
Corwin Douglas Peterson (4),
Rebecca Jean Van Vickle (5),

Defendants.

Before the Court is Defendants' Motion to Quash Subpoena Duces Tecum to Secura Insurance Company on the grounds, inter alia, that it is unreasonable, a violation of a private party settlement agreement, and a "fishing expedition." Although the undersigned is inclined to agree with much of Defendants' position, it has concluded that an in camera review of the subject documents would be appropriate. Accordingly, and upon all the files, records and proceedings herein, **IT IS ORDERED** the Motion to Quash Subpoena Duces Tecum (Doc. No. 103) is **GRANTED IN PART AS FOLLOWS:**

1. The Subpoena in the present form is **QUASHED**;
2. The United States may serve a new Subpoena Duces Tecum upon Secura

Insurance Company requesting the documents set forth on page 7 of the Government's Response to this Motion; and

3. The new Subpoena shall direct the documents to be delivered under seal to the Court (and to no one else)¹ on or before January 9, 2006 for in camera review.

Dated: December 12, 2005

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge

¹The subpoena shall not contain the language of the prior subpoena: "Materials may be provided to Special Agent Carlson prior to trial."